

Approved:

AMANDA WEINGARTEN
Assistant United States Attorney

Before: THE HONORABLE ROBERT W. LEHRBURGER
United States Magistrate Judge
Southern District of New York

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:
UNITED STATES OF AMERICA : SEALED COMPLAINT
:
- v. - : Violations of 18
: U.S.C. §§ 1951(a),
DARIUS PIZARRO, : and 2.
:
Defendant. : COUNTY OF OFFENSE:
: NEW YORK
:
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

ANNA CARRASCO, being duly sworn, deposes and says that she is a Detective with the New York City Police Department, and charges as follows:

COUNT ONE
(Attempted Hobbs Act Robbery)

1. On or about August 12, 2022, in the Southern District of New York and elsewhere, DARIUS PIZARRO, the defendant, knowingly did commit attempted robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, PIZARRO attempted to commit a gunpoint robbery of a cookie store in Manhattan, New York.

(Title 18, United States Code, Sections 1951(a) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Detective with the New York City Police Department (the "NYPD"). This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents and others, my review of video surveillance footage, and my examination of physical evidence, reports, and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. For the reasons set forth below, there is probable cause to believe that DARIUS PIZARRO, the defendant, attempted to commit a gunpoint robbery (the "Attempted Robbery") of a cookie store (the "Establishment") in Manhattan, New York, on or about August 12, 2022.

4. Based on my conversations with an NYPD officer ("Officer-1") involved in the investigation of this matter and the arrest of DARIUS PIZARRO, the defendant, on or about August 12, 2022, and my review of reports prepared by Officer-1 concerning the same, I have learned the following:

a. At approximately 2:40 a.m., on or about August 12, 2022, Officer-1 and other NYPD officers responded to the scene of a reported attempted robbery at the Establishment.

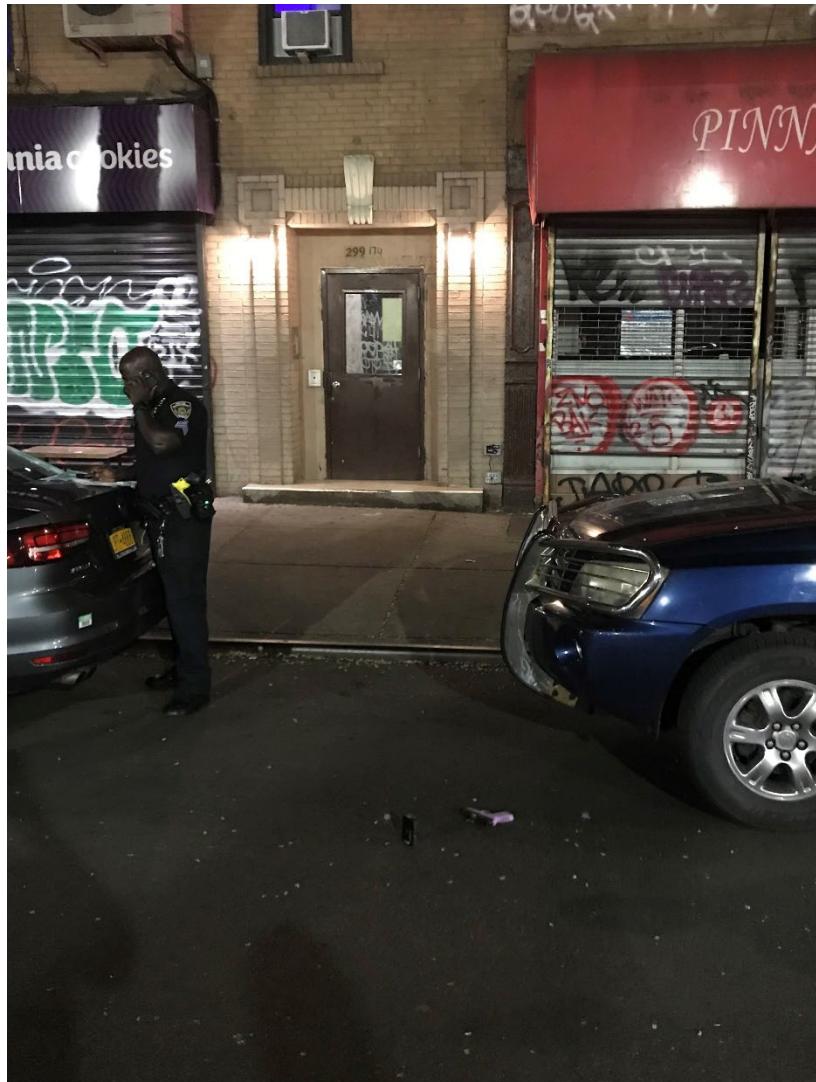
b. Upon her arrival, Officer-1 spoke with two employees of the Establishment ("Victim-1" and "Victim-2"), who reported that a male individual ("Suspect-1") had entered the Establishment, brandished a firearm that contained a pink/purple handle and black slide rack (the "Firearm"), and ordered Victim-1 to open the cash register. Because Victim-1 did not have the keys to the cash register, Victim-2 began to open the cash register. At that time, Suspect-1 observed a safe in the Establishment and ordered Victim-1 and Victim-2 to open the safe. Victim-2 responded that she did not have the code to open the safe.

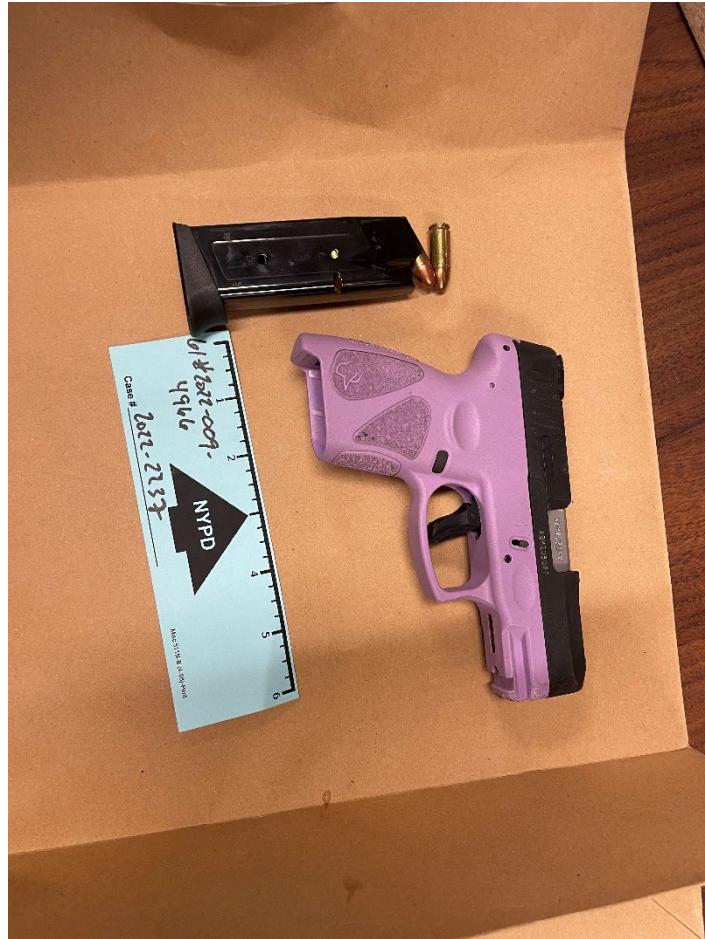
c. Victim-1 engaged in a physical struggle with Suspect-1 in the Establishment. Victim-2 called 911. Victim-1 and Suspect-1 continued the struggle outside of the Establishment. Victim-1 pinned Suspect-1 to the ground until law enforcement officers arrived. During the struggle, the

Firearm was thrown approximately 10-15 feet from the Establishment.

d. When Officer-1 arrived, Victim-1 pointed to the Firearm, while Victim-1 continued to pin Suspect-1 to the ground. Officer-1 placed Suspect-1, who Victim-1 still had pinned to the ground, under arrest. Other responding officers retrieved the Firearm, which appeared to be a Taurus G2C 9mm semi-automatic pistol. The Firearm contained six rounds of ammunition in the magazine and one round of ammunition in the chamber. Photographs of the Firearm and ammunition are below.







5. Based on the foregoing, I respectfully submit that there is probable cause to believe that DARIUS PIZARRO, the defendant, is Suspect-1; that he committed the Attempted Robbery; and that he possessed and brandished the Firearm during and in relation to the Attempted Robbery.

WHEREFORE, I respectfully request that DARIUS PIZARRO, the defendant, be imprisoned or bailed, as the case may be.

S/ by the Court with permission

ANNA CARRASCO
Detective
New York Police Department

Sworn to me by reliable electronic
means on August 13th, 2022


THE HONORABLE ROBERT W. LEHRBURGER
United States Magistrate Judge
Southern District of New York